

### **REMARKS**

Claims 1-4 and 15-22 are pending in the application.

Claims 2, 4, 15, 19, and 22 have been amended to more particularly point out and distinctly claim the present invention. No new matter has been added. Applicants expressly reserve the right to pursue broader claims and/or to appeal any or all rejections.

### **Telephonic Interview**

The courtesy of the telephone interview granted by Examiner Jimenez on December 17, 2003, is acknowledged with appreciation. The Section 103 rejection presented in the present Office Action was discussed during the interview. Specifically, the distinction between the present invention and the cited combination in the rejection was discussed. During that discussion it was pointed out to the Examiner that both the prior art of the disclosure and Millard (U.S. Patent No. 2,419,724) fail to disclose or suggest anything related to longitudinal elastic recovery. The Examiner agreed that this aspect of the present invention was not taught by the cited art, and requested that a response be filed including arguments related to that distinction, and amendments as necessary to the claims to cover this distinction. Accordingly, this Amendment is filed in compliance with the Examiner's request.

### **35 U.S.C. § 103(a) Rejection**

Claims 1-4 and 15-22 presently stand rejected under 35 U.S.C. § 103(a) over prior art disclosed in the specification ("disclosed prior art") in view of Millard (U.S. Patent No. 2,419,724). However, Because the proposed combination of disclosed prior art in view of Millard does not disclose or suggest all of the limitations of claims 1-4 and 15-22, it is respectfully submitted that claims 1-4 and 15-22 are patentable over the cited art.

Specifically, with respect to claim 1, this claim recites "wherein a pressing surface of a pair of dies used in said first step is inclined in a longitudinal direction ...so as to

cancel elastic recovering of said workpiece when said workpiece is removed from said die set.”

This limitation is not disclosed or suggested by the proposed combination of disclosed prior art in view of Millard. As pointed out in the present Office Action, the disclosed prior art does not teach anything related to elastic recovery as claimed. Instead, the Office Action relies on Millard for teachings related to elastic recovery. However, it is respectfully pointed out that Millard does not address the concept of elastic recovery as it relates to the present claims. Specifically, claim 1 is directed towards inclining pressing surfaces longitudinally to cancel elastic recovery. On the other hand, Millard only teaches compensating for elastic recovery of the draw walls in the lateral direction. For example, Figs. 4-7 of Millard clearly show the pressing surfaces being shaped to compensate for elastic recovery in the lateral direction. However, Millard is silent with respect to the issue of longitudinal bowing, and thus is silent with respect to compensating for elastic recovery in the longitudinal direction. That is, Millard fails to even appreciate the problem addressed by the present invention. Therefore, it follows that if one skilled in the art were to consider the proposed combination of disclosed prior art and Millard, this proposed combination would still fail to disclose or suggest all of the limitations of claim 1. Since the proposed combination of disclosed prior art and Millard fails to disclose or suggest all of the limitations of claim 1, the proposed combination of disclosed prior art and Millard cannot render obvious claim 1.

With respect to claim 2, this claim as amended recites “wherein ...said die set includes a first pair of dies and a second pair of dies having a difference in pressing angle suitable to cancel *longitudinal* elastic recovering of said workpiece when said workpiece is removed from said die set.” (Emphasis added). Thus, claim 2 is presently amended to clarify that the invention is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 2 is considered patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

With respect to claim 3, this claim recites “wherein a die set used in said second step provides ...a pressing surface of a pair of dies is inclined in a longitudinal direction of said workpiece ...so as to cancel elastic recovering of said workpiece when said workpiece is removed from said die set.” Thus, claim 3 is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 3 is considered patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

With respect to claim 4, this claim as amended recites “wherein ...said die set includes a first pair of dies and a second pair of dies having a difference in pressing angle suitable to cancel *longitudinal* elastic recovering of said workpiece when said workpiece is removed from said die set.” (Emphasis added). Thus, claim 4 is presently amended to clarify that the invention is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 4 is considered patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

With respect to claim 15, this claim as amended recites “prior to the step of pressing, forming pressing surfaces ...such that said pressing surfaces are non-parallel with each other in order to cancel *longitudinal* elastic recovering of said workpiece.” (Emphasis added). Thus, claim 15 is presently amended to clarify that the invention is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 15, as well as claims 16-18 which depend from claim 15, is patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

With respect to claim 19, this claim as amended recites “prior to the step of pressing, forming pressing surfaces ...such that said pressing surfaces are non-parallel

with each other in order to cancel *longitudinal* elastic recovering of said workpiece.” (Emphasis added). Thus, claim 19 is presently amended to clarify that the invention is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 19, as well as claims 20 and 21 which depend from claim 19, is patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

With respect to claim 22, this claim as amended recites “prior to the step of pressing, forming pressing surfaces of the first and second pairs of dies such that said pressing surfaces are non-parallel with each other in order to cancel *longitudinal* elastic recovering of said workpiece.” (Emphasis added). Thus, claim 22 is presently amended to clarify that the invention is directed towards canceling of elastic recovery in the longitudinal direction rather than in the lateral direction as addressed by Millard. Therefore, it is respectfully asserted that claim 22 is patentably distinguishable over the proposed combination of disclosed prior art and Millard for at least the reasons discussed above in connection with claim 1.

Accordingly, it is respectfully requested that the rejection of claims 1-4 and 15-22 under 35 U.S.C. § 103(a) as being unpatentable over Millard et al, be reconsidered and withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a

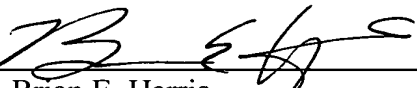
Application No.: 09/803,560  
Amendment dated December 18, 2003  
Reply to Office Action of August 18, 2003

fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any fee required for such Petition for Extension of Time, and any other fee required by this document, other than the issue fee, and not submitted herewith, should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By:   
Brian E. Harris  
Reg. No. 48,383  
Agent for Applicants

BEH/llb:jjk  
SIDLEY AUSTIN BROWN & WOOD LLP  
717 N. Harwood, Suite 3400  
Dallas, Texas 75201  
Direct: (214) 981-3461  
Main: (214) 981-3300  
Facsimile: (214) 981-3400  
December 18, 2003

DAI 270767v3